

To the District Court of the United States, for the District of Oregon.

Ms. Chris Holsworth, alleged
employee of a territorial corporation,
STATE OF OREGON, fiction in fact,
its officers, agents, and employees,
and RON GIBSON, public utility, fraud in fact.

v.

Ron Gibson, a man, in his own right.
Accused, Aggrieved, unrepresented, specially appearing.
And on behalf of others similarly situated, impracticably joined.

08-3022-PA
Petition: Notice of Removal;
Injunction; Declaratory Order;
Organic Article III Court;
Class Action. VIIIin8.

I Authorities on removal of case No. E382451-08; Challenging Subject Matter
Jurisdiction; Memorandum in further support incorporated herein by this reference:

"But there are certain inherent rights which men do not surrender by entering into organized society, and of which they cannot be arbitrarily deprived by the state. They are briefly summarized in general terms in section 1 of the Constitution of this state as follows: 'That all men are by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.' They embrace all businesses that are legitimate in character, and are of such nature as to indicate that they are inherent in the individual claiming them." (*Taylor v. Smith*, 140 Va. 217, 124 S. E. 259, at 263.)

Trespasser is defined in Black's Law Dictionary (6th Edition) as one who has
committed unlawful interference with one's person, property, or rights.

Cause of action arising under laws of United States giving federal court removal jurisdiction was stated by complaint alleging plaintiff's position as pre-emptor, that he had done all acts necessary to entitle him to patent for land, and that defendant, territorial corporation, entered upon and seized land under territorial laws authorizing its appropriation for railroad purposes. *Spokane Falls & N. R. Co. v Ziegler* (1897) 167 US 65, 42 L Ed 79, 17 S Ct 728.

Fiction is Contempt of Court:

"The United States Government as such is fictitious and thus includes the States Government, "Fictitious Party" where a suit or action is brought in the name of one who is not in being . . . To bring such a suit is deemed a contempt of court"; see *Blacks Com. 133*, *Bouvier's law dict. pg 1215* (1914), and the 1859 edition pg 520, states; "Such an attempt has been held to be a contempt of court; and Lord Harwicke in such a case committed the parties and their attorneys". [emphasis]

Fictions of law owe their origin to the legislative usurpations of the judicial bench (4 Bentham's *Treatise on Judicial Evidence* 300) and limitations imposed on their branch by the founding document and laws meant to protect the other branches and Citizens from their evil effects and as such they are not allowed to be carried further than the reasons which introduced them as necessity requires.

John Bouvier, *law Dictionary Adopted to the Constitution and I of the United States of America*. V 1, p. 520 (1859), and 6 Cranch 147 4 B Com. 133 which further explained by Justice Story in: *US v 1.960 bags of Coffee*, 8 Cranch 398, p. 415.

"It seems to be a rule founded on common sense, well a strict justice, that fictions of law shall not be permitted to work any wrong". In other words, free independent Americans, as is the representative Accused, shall not suffer as citizen of the United States.

II Actions Arising Under The Constitution, Laws, Or Treaties Of The United States

The complaint, the object causing need of removal, is the fruit, *tool of oppression*, and evidence of a continuing fraud and *repeated pattern of corrupt activity* perpetrated upon innocent people by Ms. Holsworth or by Private Code, as law, the Model Business Corporations Act, December 31, 1953, the fiction called the STATE OF OREGON, hereinafter, territorial corporation, its officers agents, and employees, or its internal affairs and to its unjust enrichment in reckless disregard of existing law to unlawfully and negligently deprive free people of their inherent Property in an apparent attempt to justify the armed extortion of valuable property *under color of official right without claim of right* in violation of clearly established law and Preemptive Power respecting *We The People* securing the Blessing of Liberty to ourselves, to promote domestic Tranquility and other preemptive inherent rights possessed antecedent to the establishment of government. As this Racketeering Influenced and Corrupt Organization adversely affects the Accused, and those similarly situated, the complaint fraudulently represents existence of an entity, as public utility, operating privileged "in the state". But these elements do not actually exist and through this fraudulent device the Accused is damaged for he had done all acts necessary to entitle him and that the territorial corporation entered upon and seized land under territorial laws and he suffers, at least, fear, infringement of inherent rights, unlawful seizures, and constitutional deprivations contrary of established paramount Power, consistent also with *Group Libel*, or *Class Prejudice*.

A) Without right, the complainant, Ms. Holsworth, willfully, fraudulently, maliciously represents:

1) The existence of a bankrupt entity within the jurisdiction of a territorial corporation and this court;
(See: Oregon Rules of Court, Federal, 1994, Rule LBR 1005-1, *Debtor Current Name*)

2) That the legal entity:

A) Operated in the jurisdiction;

B) Operates in bankruptcy;

C) Operated the operation in the state upon the highway without permission,

i) doing so with a motor vehicle; But Sec: 18 USC 31 'operating for profit';

D) Contracted the services a driver who was driving a motor vehicle the physical operation of which was done upon the highway without territorial corporation permission while employed to the operated operation of the bankrupt entity,

i) where said employee was employed without required insurance within the territorial corporation;

3) That Ms. Holsworth, is licensed to practice law to represent a Fiction, which can violate the Separation Of Powers mandate, stand against a man, and against His united state, *a free people*.

Fraud on the court occurs when the misconduct harms the integrity of the judicial process, regardless of whether the opposing party is prejudiced. *Alexander v. Robertson*, 882 F.2d 421, 424 (9th Cir. 1989).

Moreover, statements contained in the complaint, purporting to constitute lawful and sufficient process, are found fraud upon the record. The Fraud in Fact is perfected upon Clerk of Court reliance the complaint is a sufficient and true bill and therefrom setting the date for appearance, and by threat of deadly force, subjecting the Accused unlawfully to the private forum of the territorial corporation by named Fraud in Fact, RON GIBSON, or any, not by the actual consent or voluntary and willful act of the Accused, and in violation of clearly established law, written and unwritten.

Ms. Holsworth fraudulently represents to create an association and authority, which does not exist, causing improper joinder of involuntary nonparty. This unlawful, devious and harmful device, when applied to otherwise free people, must be treated in pattern part calculated intended to steal valuable Property and abrogate their inherent rights, as the Accused is particularly suffering by it. The complaint implies the power to take the right of access to the right of way without compensation, or notice, and extends to all people, too numerous, who lose ingress and egress rights unless by written permission of the territorial corporation; or People made homeless, destitute tossed into the very same Highway by those and Ms. Holsworth who believe people have no right to exist but by permission.

The citation complaint Device evidences identity theft through the artifice of identity fraud whether or not meant to identify the Accused. Ms. Holsworth uses this malicious artifice willfully to the Disparagement or defamation of the peaceful and good nature, intention, name, reputation, and inherent freedom of Accused. Clearly established law prevailing, Ms. Holsworth could make no Deprecation, but by her wanton and willful wrongful presentment the court, may ignore and dismiss.

B) In fact, the complaint is wholly fraudulent, consistent of the Pattern, not based on proper application of Code:

a) Ms. Holsworth represents the untruth that an entity exists operating "in the state" under "defendant" obligation by local rule, while fraudulently silent on fully disclosing:

- 1) That the Accused, a man, is not a legal entity or person subject,
- 2) is not operating, or for profit or gain, in the state, subject to service; and,
- 3) continuing the Fraud of Silence, not disclosing her misapplication of Code;
- 4) that, the Accused is not employed "in the state", neither specifically,
 - i) in Transportation, See: 49 CFR 382 "Transportation is Commerce,"
 - ii) not driving; See: 29 CFR 570 in "course of employment,"
 - iii) nor motorist, See: "owner and operator"; *Chauffeur; Driver.*
 - iv) and no other derivation; See: 5 CFR 930 "Government employee"; *Operator's Identification Card; Government Motor Vehicle Operator;*

b) by her imposition, being private Property are suffering Unlawful Attachment, the Accused is apparently and factually unlawfully forced into unjust Involuntary Liability, or Accommodation, or Uncompensated Service of Servitude for the non-existent transgressions of a non-existing entity without prior notice, consent, or lawful warrant contrary to law; and

- c) that the Accused does not represent a person subject waiving any imperfection; and
- d) though required, there is no agreement or application conferring upon any lawful court jurisdiction to hear any issue, which would predict a failure of subject matter jurisdiction in all;
- e) being an unlawful Public Utility Fiction, there is no actual named defendant; where
- f) if it is an entity of a name appearing similar to that of the Accused is found, It still will not be the Accused since he is a man without, not an entity or legal fiction resident in, the state; Ms. Holsworth produces or relies upon no lawful Order declaring the contrary in any state.

C) Declaring for the record, the additional facts are:

- 1) The Accused is merely a man, independent, private and, but for the unlawful acts or omissions of Ms. Holsworth, free of obligation or allegiance to the territorial corporation;
- 2) The Accused does not, did not, nor by tortious act consent to process in this state; The additional instant damage being unlawfully compelled to respond, the penalty for any failure to comply being the loss of even more valuable Property, under the unjustifiable continual Assault of the territorial corporation, a fiction, or Ms. Holsworth, or any like her.
- 3) Any claim that one, *as the Accused, enjoying inherent rights* commits a tortious act when found on the Highway is frivolous, otherwise the victim can produce the bruises.
- 4) Ms. Holsworth fails to disclose the material fact that even if the territorial corporation could license inherent rights, it grants 3 classes of license only: OR Statute 807, A Commercial, B Commercial, and C Commercial and in the absence of found commercial activity upon the Open Highway there is no Capacity the corporation can satisfy its own demand against the Accused. This commercial futility is proven again in ORS 183.310(5) "License," "any commercial activity". Ms. Holsworth is bating this court to embarrassment with this material nondisclosure.

For the purpose of brevity, any other thing the court might rely upon to acquire jurisdiction upon the Cause the complainant purports suffers the same fraud upon the court, Record, and the Accused requiring evidentiary hearing to protect against further trespass of his inherent rights, conversion of his valuable Property, and deprivation too of Constitutional acknowledgements and "guaranteed" procedures; her Cause in fact is unlawful willful and wanton derogation to all justice. There is no constitutional duty to act, which Ms. Holsworth can invoke to lawfully interfere with the Accused, or those similarly situated. Ms. Holsworth did not have constitutional power to interfere with or seize property on the Open Highway, or to reasonably believe any thing or take any action regarding the inherent rights being enjoyed by the Accused, or to impose Foreign Procedures.

Beyond the fraud committed by Ms. Holsworth is failure conforming to process due: It appears the matter promoted by the plaintiff itself suffers from fatal defects resulting from: (1) Lack of jurisdiction over the subject matter; [also where the public policy is violated, *Martin-Tregona v. Roderick*, 29 Ill.App.3d 553, 331 N.E.2d 100 (1st Dist. 1975).] (2) Lack of jurisdiction over the person; (3) Improper venue; (4) Insufficiency of process; (5) Insufficiency of service of process; (6) Failure to state a claim upon which relief can be granted; and (7) Failure to join a [proper] party under Code.

In addition to the inherent rights deprived, violated, or trespassed and the Property unlawfully seized by Ms. Holsworth, the complaint, the vehicle driving process, suffers from Constitutional invalidity in the first instance. There is no Constitutional authorization for the issuance of a complaint, impose of levy, lien, or otherwise against the Accused realizing his inherent right to access the Open Highway with his private property in his pursuit of Happiness, or whatnot. Even if it could gather constitutional muster, the complaint purports to call an artificial Entity, a fiction, into court unlawfully subjecting instead the Accused, a flesh and blood man, to accommodate the fiction without his consent or voluntary application and upon foreign process service not calculated to apprise the Accused, in this predicament, in any meaningful way, not limited to, knowledge and full disclosure of the totality of the circumstance, the Nature of any charge and the lawful Cause invoked against him, his liability to that charge or the permission he gave subordinating liability through that fabricated entity, and the man or woman, or their interest, he harmed, neither, consenting designation of a jurisdiction competent to hear. And this unlawful accommodation works deleteriously from before the process to adversely affect the Accused, his private property stolen through public utility fiction and usurpation of imputed violations of a nonexistent Entity. There is nothing in law to provide such power in Ms. Holsworth whether by private claim of right or by employment agency to authorize seizure and conversion of inherent Property, or substantive rights and immunities, or by force, intimidation, fear, or private foreign procedure;

These unlawful acts or omissions to act were committed, consistent with the Pattern, by Ms. Holsworth, ostensibly, because the Accused is not apprised nor can find any proof of such or that she has been declared by a court to be acting within her lawful employment to trespass inherent rights, convert them, or steal private Property under applicable duty of law, and may be, an officer of the territorial corporation, who, in violation of Duty, without lawful authority caused armed Trespass upon the inherent rights of the Accused, Conversion of those rights, and theft of his valuable private property to her unjust enrichment and similar gain of other corporate Accomplice. Also forcing, unconstitutionally, an Association and of continuing involuntary and other Servitude not lawfully applicable, or Surrender, not limited to, seizure of private property, ransom for its return, continuing interference with inherent rights, loss of constitutional "guarantees" in violation of clearly established law, either the Act of July 26, 1872 amending, and Exaction of every kind not Intitled to Accused.

If defect is one of personal jurisdiction, such that defendant is not amenable to either federal or state process, dismissal is appropriate. *Amins v Life Support Medical Equipment Corp.* (1974, ED NY) 373 F Supp 654.

D) Declaring and asserting for the record additional Facts:

1) The Accused is not a named entity or person "in the state" doing business in or with the territorial corporation, the fiction called the STATE OF OREGON, subject to its private corporate courts:

a) Failure of Consideration.

2) The Accused never created the named "defendant" entity or person "in the state" doing business with the territorial corporation; With her fraud Ms. Holsworth did. Let her pay for it.

3) The Accused has not agreed to accommodate any fiction under territorial corporation authority or control, and finds no authority suggesting fiction can move against substance.

4) The Accused is not an employee or servant to any legal entity "in the state" doing business within the territorial corporation.

5) In the event there is some undisclosed judicially noticed instrument, act, or thing creating nexus within the rarified ether of influence of the territorial corporation, I hereby rescind the signature appearing thereon deemed to purport any such contrary representation declaring such instrument void for the intention it appears to purport for fraud, or mistake, requiring full disclosure of any act or thing for Withdrawal, Renunciation, or challenge.

6) Any Presentment contrary to the above asserted facts is material fraudulent representation of Ms. Holsworth in her intention to unlawfully assault, attack, subdue, or conquer the Accused, for Diversity or Class prejudice, or in any regard, without lawful jurisdiction, authority, cause, or Power committing, at least, trespass, conversion, and theft of private Property in violation of clearly established law, Custom, Creed, and Habit, written and unwritten.

The Accused cannot prove the existence of a negative or of no actual thing asserted nor prove any adverse burden against him as Ms. Holsworth attempts and is liable for. The burden must shift to Ms. Holsworth to show cause how she is not contumacious through interposition of a fiction to the harm of the Aggrieved Accused, or has not made fraudulent presentment to the record, or is not acting, or by omission to act, in contravention of clearly established law, Custom, Creed, and Habit, written or unwritten; to prove inherent right requires corporate permission, and Accused is obligated to ask.

In the absence of Ms. Holsworth's sufficient showing to controvert this expose' of her fraud and liability, the actual and true facts I declare as a matter of law this court must dismiss her complaint.

Upon any failure to show cause sufficiently defending the assertion of fact of fraudulent representation and her lack of lawful standing, being the Accused is at all times ministering his inherent rights and has as a matter of law has every right to travel the Highway with his private

property as a matter of right, as ORS 801.305 "as a matter of right" expressly acknowledges, here unlawfully interfered with by and to the liability of Ms. Holsworth or whomever similar, the Accused in continuing trepidation being completely exposed to retaliation without adequate remedy is demanding immediate *Remedy* for ongoing irreparably injury, not limited to trespass, conversion, and theft of rights and other valuable Property such as my Life, Liberty and pursuit of Happiness:

III REMEDY REQUIRED

The abridgement of which money damages cannot sufficiently correct, of a matter no court officer has ever seen fit to advocate or protect, the aggrieved Accused sees no reason why the following is not as good a remedy against interference with the greater inherent right:

"Neither a petition for mandamus to compel the restoration of an automobile driver's permit, revoked under an invalid ordinance, nor the setting up of the invalidity of such ordinance as a defence to a charge of driving without a permit, is as complete and adequate as a suit for injunction against interference, under the color of such ordinance, with the lawful exercise of the right to drive an automobile on a city's streets." (*Thompson v. Smith*, *hn* 18, 71 A.L.R. 604, 154 S. E. 579)

And being:
"A traveler lawfully using a public highway has the same rights to enjoy such use undisturbed as if he were the owner in fee simple." *Smethurst v. Independent Cong. Church*, 2 L.R.A. 695, 148 Mass. 261, 19 N. E. 387. (L.R.A. Digest 1888-1918, Highways and Streets, 65.)

Because:
"The right of interstate travel is constitutionally protected, does not necessarily rest on the Fourteenth Amendment, and is assertable against private as well as governmental interference." (*Griffen v Breckenridge*, 403 US 88, 91 S Ct 1790, 29 L Ed 2d.)

Moreover, that:
"Illegitimate and unconstitutional practices get their first footing in that way, namely, by silent approaches and slight deviations from legal modes of procedure. This can only be obviated by adhering to the rule that constitutional provisions for the security of persons and property should be liberally construed.* * *It is the duty of the courts to be watchful for the constitutional rights of the citizen, and against any stealthy encroachments thereon." *Boyd v. United States* (1886), 116 U.S. 616, 635; *Ex parte Rhodes*, 202 Ala. 68, 71.

Which opinion is reminiscent of what Thomas Jefferson said:

"When the government fears the People, that is Liberty. When the People fear the Government, that is tyranny."

Meaning, Ms. Holsworth and those similar, when left to its [sic] own devices strives to:

Terrorism, ter'ror-izm, n. A system of government by terror; intimidation.
Terror, ter'ror, n. [L. *terror*, from *terreo*, to frighten, TERRIBLE.] Fear that agitates the body and mind; dread; fright; the cause of extreme fear.
Consolidated Webster Encyclopedic Dictionary -Library of Essential Knowledge, Chicago, 1955.

Therefore, as a matter of law the commission of, or by omission, the acts of Ms. Holsworth being unlawful must be enjoined where they affect the inherent rights of the Accused, or those similarly

situated, to defeat the tyranny and stealthy encroachment any Territorial corporation, its officers, agents, or employees inflict and exact to instill fear where left unopposed and uncontrolled by law:

IV INJUNCTION

Seeking complete and adequate remedy to the unlawful deprivation and infringement of our inherent, not alienable, rights, the sufficient cause for this removal, I petition for injunctive relief against interference, by the STATE OF OREGON, a territorial corporation, its officers, agents, or employees, under the color of such statutes, with the lawful enjoyment of and to the Highway as a matter of right, and a declaratory order consistent with this entitlement and for others similarly situated to remove all uncertainty and fear and that law not be usurped;

V DECLARATORY JUDGMENT

Therefore, and as law already provides, but for a stealthily encroaching governance: To eliminate the continuing uncertainty, to restore inviolability, domestic Tranquility, the Blessing of Liberty and proper reliance acknowledging inherent paramount right in people each and sovereignty together and other existing law, written and unwritten, affirming these and other rights and Immunities:

An Order is required concluding;

Petitioner agrees and the territorial corporation called the State of Oregon, state, understands being liable to the placement upon any conveyance of the Petitioner, or those similarly situated, a placard with the designation **NOT FOR HIRE** in the place normally holding a registration period plate, or if none for those under "ownership registration", to give notice to all State of Oregon officers, agents, or employees, and others similarly organized, the property by such placard is immune to state code enforcement, demand, liability, or confiscation of any kind, unless for investigation of actual crime;

Else, the inducement of "open" Highway be an unlawful Entrapment Tool, taking private property under protection of such placard from a Stranger or Petitioner on a Highway by confiscation or forfeiture, or other device, or demanding license by state officers, agents, or employees is unlawful;

That, and as law also already provides, the absence of a Highway registration without commercial commitment is not probable cause to stop, detain, harass, or investigate and is unlawful;

That any demand for the production of papers to merely travel from place to place is inconsistent with the law, peace, and dignity of a free people, an impermissible encroachment;

That Highway access is as of a matter of right and to be protected from any aggression or takings by the state its officers, agents, or employees and being any Stranger or Petitioner to the state is Welcome;

That the invitation to Welcome is not to be withheld or removed to hide the fact;

That any aforementioned acts contrary to the right of way as a matter of right are against the peace and dignity of the State and a violation of at least the inherent rights of Life, Liberty, pursuits of Happiness, other Immunities and against the express invitation of this state;

That Petitioner may petition to amend the Injunction or Declaratory Judgment and order for any other encroachment attempting to avoid or as evasion of the spirit of this Order;

The territorial corporation, having no authority to determine a Stranger's rights and immunities existing before the organization of the STATE OF OREGON these facts of this petition are incorporated herein by this reference and shall be made a part of the Order which shall be a Final Judgment with prejudice as to this state;

That any act contrary to this Order or its spirit is a violation of Law and by summary judgment;

VI

DAMAGES

The Petitioner requires the court order a trial of his Peers to determine actual damages reasonably and in good faith believed to be in excess of any jurisdictional minimum, the price to avoid imposition of slavery or trespass, incurred by the actions of Ms. Holsworth or the STATE OF OREGON, its officers, agents, or employees in unlawful and unjustifiable encroachment of Petitioner's, or those similarly situated, inherent, or inalienable rights other valuable Property and as deterrent, and that such Peer judgement hereby awarded also attach for prospective assurance to be separately chargeable to each and to any subsequent violation of this Judgement, anywhere, providing the situations are similar to this class and by summary judgment of the court in verification; or any other relief the court deems just.

Ron Gibson, the Accused, aggrieved and unrepresented man.

In Good Faith and for certification of the foregoing, God Almighty my Witness and Protector, I solemnly declare truth of open Record, executed without the United States on March 5, 2008.

Location: Ron Gibson
general delivery,
Selma, Oregon.

VII

CERTIFICATE OF SERVICE

The above Petition: Notice of Removal and for Injunction, Declaratory Order, and Damages with copy of all process, pleadings, and orders served on the Aggrieved was hand delivered on March 5 2008 to: 1) The Clerk of the State Court Administrator, 100 S.Oakdale, Medford,Oregon. 97501 and 2) Ms. Holsworth, 1463 NE.7th ST. Grants PASS, **Oregon**, 97526

Ron Gibson, the Accused, aggrieved and unrepresented man.

In Good Faith and for certification of the foregoing, God Almighty my Witness and Protector, I solemnly declare truth of open Record, executed without the United States on March 5, 2008.

Location: Ron Gibson
general delivery,
Selma, Oregon.

Memorandum In Further Support

Here is evidence of another apparently similarly situated, the third of two other stories of numerous people suffering published this last month alone, facially of the class represented by a 4th, the Accused; No evidence of commercial activity appearing yet prejudiced in right and by overt discrimination in this woman's case to her irreparable harm. If this woman knew the truth and the territorial corporation enforced the actual law she would not, absent actual commercial activity, be suffering such a consequence. The Remedy sought by the Accused and on behalf of others similarly situated would eliminate this type of scourge and put government back into its rightful place serving, not harming, the people. The Remedy sought requires nothing more of any Body than to recognized the inherent rights of every one to resolve this sort of travesty. Someone in this predicament is not able to protect themselves or be openly counted as one prior case of the class and the racketeers go unpunished.

Page 7: Letters:

City Has Sympathy for Drunken Drivers But Not the Poor

(Editor's Note: The following letter pertains to the Grants Pass City Council's recent exception to allow someone convicted of a DUI offense to keep her driver's license in order to make it to work. The letter writer, Chandra Atkins, also had her license suspended because of a lapse in auto insurance. Unfortunately, she was not afforded the same sympathy.)

In a letter to the City Council, Atkins wrote, "I have lost my license, my only remaining resource, for one year, and despite my having applied and paid fees for a permit so I can at least continue to work [which is especially important to me as a single parent], I still—three months later—have no permit and have been treated as if I am an incorrigible degenerate who doesn't even hold the right to pursue life and liberty and take care of myself and my son."

In that letter, Atkins went on to state that she is more than willing to obtain insurance in order to have her license reinstated. In fact, she was intending to obtain the insurance when cited but was waiting for payday. It was all a matter of timing.

She never heard back from anyone on the City Council, which prompted this letter to the letter.)

Dear Editor:

Enclosed is a letter I mailed to the Grants Pass Mayor and City Council over two weeks ago in response to their making an exception of the law for one who was convicted of driving drunk. As I fully expected, I got no response. My statement, then, to you (the public), our legislators and the Insurance Commissioner is this:

It is cruel, counterproductive and not in our society's best interest to punish people simply because they are poor, which is what suspending driving privileges of those cannot afford (expensive) insurance amounts to.

Any caring, wise and thereby successful society will choose to enable all its members as much as possible to achieve a productive and self-sufficient citizenry.

Stripping anyone, but especially the poor who are already struggling under extremely challenging parameters, of the critical resource of their driver's license is cruel and counterproductive. It prevents them from being able to take care of themselves and their families by having the freedom to

(Continued on page 8)

The Sneak Preview

P.O. Box 129, Grants Pass, OR 97528 • 2nd Floor, Redwood Towers, Corner 6th & "E"
(541) 474-3044 • E-mail: sneakpre@mind.net

letters

travel as necessary to work, school, doctors, church and other community involvements, especially those living in rural areas.

I propose that the goal should not be to punish and destroy lives but to maintain an insured driving public. Our elected legislators and the (unaccountable) DMV should stop pandering to the well-lobbied insurance companies and instead impose a fair and reasonable fine (bearing in mind that the poor have limited resources, yet we want them to use what funds they muster up to procure insurance).

The driver should be put on a one-year probation (not suspension or revocation of any kind) wherein they simply must maintain proof of insurance. We should also practice humanity in considering whether the uninsured exercised negligent intent or if they were simply experiencing financial hardship (and not because the Mayor likes you).

Choosing fair and reasonable problem-solving over harsh and cruel punishment will be to everyone's benefit and reflect better on us as a society as well.

Sincerely,
Chandra Atkins
Grants Pass, Oregon

Your Call Is Important to Us ... Yeah, Right!

Dear Editor:

It is of great interest to me regarding your Letter to the Editor concerning DIRECTV (*Sneak Preview*, February 1,

2008). During all the trauma of waiting and agony, where in the world did someone "dig up" the name Amanda B. #400514 DIRECTV Service?

On September 19, 2007, I terminated my DIRECTV service. The dish has been removed, yet I continued to get the monthly charge of \$61.97 on my automatic VISA charge.

On my own, one morning, Wednesday, Oct. 31, 2007, at 3:20am, I spoke to agent "Leah" about these charges. She agreed to give me credit for \$43.37 on my next statement and to send documentation papers to verify cancellation within seven days.

All of this is well and good, but I don't see any relief. If I were to call during "daylight" hours, I would get a recording saying "your call is important to us" (b.s.). Then after a long wait, an agent answers and you're transferred to someone else. After no answer, the operator comes on and says, "If you would like to make a call, hang up and dial again."

Being past 86 years old, I don't think I'll make it.

Sincerely,
John L. Mailho
Grants Pass, Oregon

Beware of Satellite Dish Companies

Dear Editor:

I wanted to let you know that I was also scammed by Dish in Salinas, California. I was told I'd only pay \$13.99 a month, with a waived installation and free to cancel within 30 days (which is a reasonable right).

Ron Gibson, the Accused, aggrieved and unrepresented man.
In Good Faith and for certification of the foregoing, God Almighty my Witness and Protector, I solemnly declare truth of open Record, executed without the United States on March 5, 2008.

Location: Ron Gibson
general delivery,
Selma, Oregon.

OREGON UNIFORM CITATION AND COMPLAINT

Use for All Violations or Crimes Where Separate Complaint Will Not Be Filed/ORS 153.045 or 153.069

<input type="checkbox"/> CRIMES(S) (See A on Back)	<input checked="" type="checkbox"/> OR (Not Both)	<input checked="" type="checkbox"/> VIOLATION(S) (See B on Back)	<input checked="" type="checkbox"/> Traffic <input type="checkbox"/> Other <input type="checkbox"/> Wildlife <input type="checkbox"/> Boating <input type="checkbox"/> Commercial Fishing
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STATE OF OREGON

CITY/OTHER PUBLIC BODY

COUNTY OF Jackson

Docket No.

Court: ☐ Municipal ☐ Justice
☐ Juvenile ☒ Circuit

E392451

SUMMONS

THE UNDERSIGNED CERTIFIES AND SAYS THAT THE FOLLOWING PERSON:

ID TYPE: <u>DL</u>	ID No. <u>518586</u>	State <u>OR</u>	Tel No.
Name: Last <u>Gibson, Ronald</u>	First <u>Charles</u>	Middle	
Address: <u>499 Norman Rd</u>			License Class <u>0</u> <input type="checkbox"/> Employed to drive
City <u>Selma</u>	State <u>OR</u>	Zip Code <u>97538</u>	Def. is: <input checked="" type="checkbox"/> Driver <input type="checkbox"/> Passenger
Sex <u>M</u>	Race <u>W</u>	DOB <u>8/14/46</u>	Height <u>6'</u> Weight <u>226</u> Hair <u>Brn</u> Eyes <u>Brn</u>

AT THE FOLLOWING TIME AND PLACE IN THE ABOVE-MENTIONED STATE AND COUNTY:

Offense Date	Month <u>2</u>	Day <u>7</u>	Year <u>108</u>	Time <u>7:41</u>	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM
on or about:	<u>2/7/08 7:41</u>				
At or near Location:	<u>19 SB MP 50</u>				

INVOLVING THE FOLLOWING:

Type <u>Car</u>	Regis/VIN/ID No. <u>57W646</u>	State <u>OR</u>	<input type="checkbox"/> Accident <input type="checkbox"/> Injury <input type="checkbox"/> Property Damage <input type="checkbox"/> Endanger others
Vehicle year, make, model, style, color, OR Other, describe: <u>1993 Cadillac Deville 4dr</u>			<input type="checkbox"/> Driver not Reg. Owner <input type="checkbox"/> Haz Material <input type="checkbox"/> Commercial Veh.
Other:			

DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

1. Violated (cite ORS/ORD/rule) <u>807.00</u>	Describe <u>No Valid Operator's License</u>	Alleged Spd <u></u>	Designated Spd <u></u>	<input type="checkbox"/> Posted Limit <input type="checkbox"/> Radar <input type="checkbox"/> VBR <input type="checkbox"/> Pace <input type="checkbox"/> Laser
<input type="checkbox"/> Intentional <input type="checkbox"/> Knowing <input type="checkbox"/> Reckless <input type="checkbox"/> Criminal negligence <input checked="" type="checkbox"/> No culpable mental state 1. Base fine: <u>747</u>				
2. Violated (cite ORS/ORD/rule) <u>806.010</u>	<u>Driving Uninsured</u>			
<input type="checkbox"/> Intentional <input type="checkbox"/> Knowing <input type="checkbox"/> Reckless <input type="checkbox"/> Criminal negligence <input checked="" type="checkbox"/> No culpable mental state 2. Base fine: <u>747</u>				
3. Violated (cite ORS/ORD/rule)				
<input type="checkbox"/> Intentional <input type="checkbox"/> Knowing <input type="checkbox"/> Reckless <input type="checkbox"/> Criminal negligence <input type="checkbox"/> No culpable mental state 3. Base fine:				

OTH.

I certify under ORS 153.045 and 153.990 and under other applicable law and under penalties for false swearing, do swear/affirm that I have sufficient grounds to and do believe that the above-mentioned defendant/person committed the above offense(s) and I have served the defendant/person with this complaint.

Date Issued <u>2/7/08</u>	1st Officer Signature <u>C. Holsen</u>	Officer(s) Agency ID: <u>36964</u>
Print 1st Officer name: <u>C. Holsen</u>		1st Officer ID No. <u>467-35</u>

2nd Officer or arresting person (if not officer): Signature	Print name:
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YOUR COURT APPEARANCE DATE, TIME AND LOCATION ARE:

Mo/Day/Year <u>3/5/08</u>	Time <u>10:00 AM</u>	Location <u>100 7th Cr Cr</u>
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Reserved for DA use:

Reserved for Court use:

Form 59(01-00)

A COMPLAINT ON THIS CITATION WILL BE FILED AGAINST YOU IN THE COURT INDICATED ON THE FRONT OF THIS SUMMONS

READ CAREFULLY

If the front of this ticket shows you are charged with a:

A CRIME, YOU MUST APPEAR at the time and place set by this summons.

B VIOLATION. You must do one (and only one) of the violation options listed below.

VIOLATION OPTIONS TO RESPOND TO VIOLATION(S) CHARGED ON THIS SUMMONS, YOUR OPTIONS ARE:

OPTION 1 **PERSONALLY APPEAR** at the court at the appearance time indicated to enter a plea OR, before that time, to orally request a trial. You have a right to trial, and if you plead not guilty when you appear, the court will set a date and time for trial.

OPTION 2 **ENTER A PLEA OF GUILTY OR NO CONTEST** by written appearance. To choose this option do all the following before the time this summons requires you to appear:

1. Check **AND** initial one (and only one) of the following pleas:

☒ I plead **GUILTY** _____ (initial) ☐ I plead **NO CONTEST** _____ (initial)

2. Sign/date here: _____ (signature), _____ (date), **AND**

3. Deliver to the court this summons (see note "4" below) and attach a written statement explaining or in mitigation of the violation(s) charged (if your plea is GUILTY, the written statement is optional), **AND**

4. With this summons, send or take the court a **check or money order for the full base fine amount** as shown on this summons (\$ _____ indicate amount enclosed)

IMPORTANT: Choosing this option makes a written appearance and waives your right to trial. If you plead GUILTY, you agree to the penalties for your offense. If you plead NO CONTEST, you consent to any court judgement based on your plea and statement and the officer's report. If it finds you guilty, the court may keep all or part of the money you pay, but will return any left after taking out the sanction amount. If you choose this option, the court will not fine you more without giving you notice to come to a hearing.

OPTION 3 **ENTER A PLEA OF NOT GUILTY** by written appearance. To choose this option do all the following before the time this summons requires you to appear.

1. Sign/date here: _____ (signature), _____ (date), **AND**

2. Deliver to the court this summons by itself or with a written request for trial (see notice "4" below).

IMPORTANT: Choosing this option makes a written request for hearing. The court will give you notice of the time and place when you **MUST** appear. The court may impose penalties if you do not appear at the time given in the notice. The court may require you to deposit money to assure your appearance if you have failed to appear on any offense charges in the past.

OPTION 4 Contact the Court Clerk, **before the time this summons requires you to appear**, and determine if you qualify for a trial by affidavit under ORS 163.080.

If so, the trial will be based upon sworn, written statements and future court appearances may not be necessary. It is possible that you may not qualify for trial by affidavit or that the local court may not offer the option. In those cases, you must comply with one of the other options.

NOTICE

1. In any case, the court, **AFTER NOTICE**, MAY REQUIRE YOU TO APPEAR FOR A HEARING.
2. For traffic offenses, this record will be sent to the Licensing Authority of this state (or where you received your license to drive) to decide if a license suspension is appropriate.
3. For violations, if you are going to have an attorney represent you, you must notify the court and the prosecutor's office in advance.
4. **YOU MAY MAIL WRITTEN APPEARANCES** to the court under Violation Options 2 or 3 above, but the mail must arrive at the court before your appearance date shown on this summons.

WARNING

1. IF YOU FAIL TO FOLLOW THESE INSTRUCTIONS, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST and/or, for traffic offenses, may order your license suspended.
2. For violations, if you do not pay the full base fine in advance and do not appear, the court, without further hearing, may enter a conviction and a judgment against you for more than the base fine and up to the maximum penalty allowed by law for the charged offense(s) including the maximum fines, assessments, restitution and other costs (which may be substantially more than the base fine).

MAIL CORRESPONDENCE OR WRITTEN APPEARANCE AND MAKE CHECKS PAYABLE TO:

☒ **CIRCUIT COURT, 100 S. Oakdale, Medford, OR 97501**

☐ **CIRCUIT COURT, 500 NW 6th, Grants Pass, OR 97526**



OREGON STATE POLICE TOWED AUTO REPORT

CASE NUMBER (Número del Caso)
08-052896

☒ NO INSURANCE ☐ DUI ☐ DWS ☒ NO OP LICENSE

DATE (Fecha) <u>02/07/08</u>	LOCATION (Locación) <u>IS SB MP 50</u>	COUNTY (Condado) <u>Jackson</u>
HOLD: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES, EXPLAIN		

DRIVER (Conductor)

NAME (Nombre) <u>Gibson, Ronald Clinton</u>	DOB (Fecha de Nacimiento) <u>8/14/46</u>	TELEPHONE (Teléfono)
ADDRESS, CITY, STATE AND ZIP CODE (Domicilio, Ciudad, Estado y Código Postal) <u>499 Norman Rd, Selma, OR 97438</u>		

OWNER (Dueño)

NAME (Nombre) <u>Same</u>	DOB (Fecha de Nacimiento)	TELEPHONE (Teléfono)
ADDRESS, CITY, STATE AND ZIP CODE (Domicilio, Ciudad, Estado y Código Postal)		

VEHICLE (Vehículo)

LICENSE (Placa) <u>SZW646</u>	STATE (Estado) <u>OR</u>	YEAR (Año) <u>1997</u>	MAKE (Marca/Tipo) <u>Cadillac</u>
MODEL (Modelo) <u>Deville</u>	STYLE (Estilo) <u>4 door</u>	COLOR (Color) <u>Silver</u>	VIN (Número de la Fábrica) <u>1G6CD53B6N4322933</u>

TOWED BY (Remolcado por) <u>Precision Towing</u>	TOWED TO (Remolcado a) <u>30 Hawthorne Rd, Rogue River, OR 97521</u>
TOWING CHARGE (Cuota de Remolcación) <u>\$165</u>	STORAGE CHARGE (PER DAY) (Cuota de mantenimiento (por día)) <u>\$35.00</u>

[Signature] 02/07/08 8:18am
TOW OPERATOR SIGNATURE DATE TIME

I hereby certify that on the above date and time, in my capacity as a police officer employed by the Oregon State Police and under authority of ORS 809.720. I ordered the impoundment of the listed vehicle which was being operated on the above indicated highway or premises open to the public. The vehicle was impounded because I had probable cause to believe that the vehicle's driver was driving in violation of one or more of the following statutes: ORS 806.010, ORS 807.010, ORS 811.175, ORS 811.182 and ORS 813.010.

[Signature] 36964 02/07/08 8:18am
OFFICER SIGNATURE ID # DATE TIME

PATROL OFFICE ADDRESS <u>1463 NE 7th St, Grants Pass, OR 97526</u>	TELEPHONE <u>472-9328</u>
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RELEASE

I, the undersigned, do hereby certify that I am legally authorized and entitled to take possession of the above described vehicle and do hereby relieve and guarantee to protect the Oregon State Police, their officers, employees or agents, against any loss or liability by reason of delivering possession of said vehicle to me, and I assume all responsibility and become liable for all expenses accrued or accruing against said vehicle occasioned by the impounding of same. I certify, under the penalties provided in ORS 806.050, that the proof of existing motor vehicle liability insurance is true and meets the requirements under the Oregon Revised Statute.

SIGNATURE PRINTED NAME

AUTHORIZING OFFICIAL COMM # DATE TIME

Your vehicle has been towed and impounded for violation of one of the following:

1. Driving under the influence of intoxicants
2. Driving while suspected or revoked
3. No operator's license or in violation of a license restriction
4. Driving uninsured

In order to obtain a release for your vehicle from impoundment you must:

1. Go to the Oregon State Police office listed on the front of this form
2. Provide the following information:
 - a) proof that a person with valid driving privileges will be operating the vehicle (unless the vehicle was impounded for driving uninsured)
 - b) proof of insurance
 - c) picture identification
3. If you are not the legally registered owner of the vehicle, you must show one of the following:
 - a) a signed-off title
 - b) a NOTARIZED bill of sale
 - c) a bill of sale on a car business letterhead
4. A processing fee of \$40.00 will be charged. This must be in the form of a certified check or money order payable to "Oregon State Police." No cash or personal checks will be accepted.

With the permission of the officer, you should take your personal property (glasses, medication, etc.) with you. You will not have access to the vehicle until a release is obtained.

Pursuant to the Oregon Vehicle Code, compliance with financial responsibility requirements may be satisfied by one of the following:

1. A motor vehicle liability insurance policy or card issued by an insurance company;
2. A bond approved by a judge of a court of record in this state;
3. A deposit with the state treasurer; or
4. A self-insurance certificate issued by Oregon DMV.

An insurance policy or card must contain following:

1. Name of insurance company
2. Effective date;
3. Expiration date.
4. Description of motor vehicle(s) for which coverage; and
5. Name of insured person(s).

A person entitled to lawful possession of the impounded vehicle may request a hearing under ORS 809.716 to contest the validity of the impoundment. A request must be made in writing within five business days (excluding weekends and holidays) of the impoundment notice. If the request for hearing is sent by mail, it must be postmarked within five business days of the date of the vehicle impoundment notice. The request must be provided to:

Patrol Division - Hearings, Oregon State Police
255 Capitol St. NE, 4th Floor, Salem, OR 97310

A hearing request must contain the person's full name, address, driver's license number, daytime telephone number and when the person can be reached during the weekday, 8:00 a.m. to 5:00 p.m., the names of any daytime telephone numbers for any other persons (e.g., attorney, witnesses) expected to participate in the hearing, date of impoundment, the vehicle registration number, a description of the vehicle impounded, a description of the person's interest in the vehicle (e.g., owner, lessor, security interest holder), and a brief statement why the person believes the impoundment was improper. A person who will need an interpreter or Oregon Telecommunications Relay Service for the hearing or other accommodation for impairment must also give notice of that in the hearing request. You will be notified by telephone of the hearing date and time.

Si el vehículo ha sido remolcado y confiscado por una de las siguientes razones:

1. Invalidez o expiración de la licencia de conducir
2. Manejando sin licencia
3. Ud. falta licencia de operación o no siguió por las instrucciones de una licencia restringida
4. Manejando sin aseguranza

Para poder reclamar su vehículo del remolcado usted vendrá a:

1. Irse a la oficina del Policía Estatal, nombrado en la frente de esta forma
2. Prover la siguiente información:
 - a) Prueba que la persona que maneja tenga licencia válida para operar el vehículo (al menos que el vehículo fue confiscado por manejar sin aseguranza)
 - b) Prueba de aseguranza
 - c) Identificación con foto

3. Si usted no es el dueño actual (registrado) del vehículo, usted tendrá que enseñar uno de los siguientes:

- a) El título con firma del dueño
- b) Una cuenta de venta, firmado por NOTARIO
- c) Una cuenta de venta en forma titulado por un

Una cuota de \$40.00 sea cubierto por el proceso. Este pago ha de estar en forma de cheque certificado o money order escrito al nombre de Oregon State Police. No debe ser traer efectivo ni cheque personal.

Con el permiso del oficial, usted debe de llevar sus cosas personales (lentes, medicamentos, etc.) con usted. Usted no tendrá acceso al vehículo hasta que se obtenga la forma de descargo.

De acuerdo con el Código Vehicular de Oregon, cumplir los requisitos financieros será satisfecho por uno de los siguientes:

1. Una tarjeta de aseguranza vehicular o una póliza de compañía de aseguranza;
2. Una fianza aprobada por un juez de un tribunal registrado en este estado;
3. Un depósito en la tesorería estatal; o
4. Un certificado de seguro propio emitido por el Departamento de Vehículos de Oregon.

Una póliza de aseguranza o tarjeta válida tendrá lo siguiente:

1. El nombre de la compañía de aseguranza
2. Fecha de iniciación
3. Fecha de expiración
4. Descripción del vehículo(s) y los cubrimientos
5. El nombre de la persona(s) asegurada.

Una persona elegible para la posesión legal de un vehículo confiscado puede pedir una vista frente al Tribunal por la ley ORS 809.716 para rebatir la confiscación. La petición ha de ser hecha en escrito dentro de cinco días (excluyendo los días de semana y las vacaciones) de la notificación de confiscación. La petición, escrita, la silla postal ha de ser dentro de cinco días de la fecha en la policía de confiscación. La petición ha de ser mandado a:

Patrol Division - Hearings, Oregon State Police
255 Capitol St. NE, 4th Floor, Salem, OR 97310

La petición para una vista frente al tribunal ha de incluir la siguiente información: nombre completo de la persona, número de licencia para manejar, número de teléfono y cuándo se puede comunicar con la persona en los días entre semana de 8:00 de la mañana a 5:00 de la tarde, los nombres y números de teléfono de cualquier otra persona que será parte de la vista frente al tribunal (ej. abogado, testigo), fecha de confiscación, número de registración del vehículo, descripción del vehículo confiscado, explicación del interés en el vehículo de la persona (ej. dueño, arrendatario, garantizador), y una explicación breve del por que la persona cree que la confiscación no fue correcta. Cualquier persona que se requiere intérprete durante la vista frente al tribunal u otras necesidades ha de incluir esta información también en la petición. Ud. será notificado por teléfono de la fecha y hora de la vista.

UMPQUA BANK

CASHIER'S CHECK
CUSTOMER'S COPY

0002

6196811

Date: 02/07/08

REMITTER RON GIBSON

Amount

FORTY and 00/100USDollars

\$ 40.00

Pay To The Order Of: ***OREGON STATE POLICE***

0002

1 of 1